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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/017,041	12/12/2001	James E. Van Scoyoc	EDWA-001	6545
75	590 04/18/2003			
Michael S. Neustel			EXAMINER	
Suite No. 4 2534 South Uni		SAETHER, FLEMMING		
Fargo, ND 58103			ART UNIT	PAPER NUMBER
			3679	
			DATE MAILED: 04/18/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

· ·		Applicati n No.	Applicant(s)	- La				
·		10/017,041	SCOYOC, JAMES	/ ~				
1	Offic Action Summary	Examin r	Art Unit					
		Flemming Saether	3679					
	- The MAILING DATE of this communication ap		with the correspondenc ad	dress				
Period for Reply								
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filled after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).								
Status	Decree in the communication (a) filed on 47	Morob 2002						
1)🛛	Responsive to communication(s) filed on 17							
2a)□	,	his action is non-final.						
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.								
Disposition	on of Claims		·					
4) Claim(s) 1-20 is/are pending in the application.								
4a) Of the above claim(s) <u>12-20</u> is/are withdrawn from consideration.								
5) Claim(s) is/are allowed.								
6)⊠ Claim(s) <u>1-11</u> is/are rejected.								
7) 🗆	Claim(s) is/are objected to.							
8) Claim(s) are subject to restriction and/or election requirement.								
	on Papers							
9) The specification is objected to by the Examiner.								
10)⊠ The drawing(s) filed on <u>12 December 2001</u> is/are: a)⊠ accepted or b)□ objected to by the Examiner.								
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).								
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.								
If approved, corrected drawings are required in reply to this Office action.								
12) The oath or declaration is objected to by the Examiner.								
Priority under 35 U.S.C. §§ 119 and 120								
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:								
a) All b) Some c) None or: 1. Certified copies of the priority documents have been received.								
į	2. Certified copies of the priority documents have been received in Application No							
Į	Certified copies of the priority documents have been received in Application No Copies of the certified copies of the priority documents have been received in this National Stage							
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.								
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).								
a) ☐ The translation of the foreign language provisional application has been received. 15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.								
Attachment(s)								
2) Notice	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice	iew Summary (PTO-413) Paper No e of Informal Patent Application (PT					

Application/Control Number: 10/017,041

Art Unit: 3679

El ction/R stricti n

Applicant's election of group I, claims 1-11 with traverse is acknowledged. The traversal is on the grounds that the restriction requirement is unnecessary since both groups pertain to the same subject matter. In response, the examiner disagrees because a bolt as an article does not include the same subject matter as the method of making the bolt. Indeed, there numerous method of making the bolt not requiring a cold forming die, as such the die required of the method claims provides an example of divergent subject matter.

Accordingly, the restriction requirement is maintained and claims 12-20 are withdrawn as being not elected with traverse.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 6, 7 and 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Hindle (H1258). Hindle discloses a fluid flow bolt (see Fig 3) comprising a enlarged head (32) and a plurality of three equally spaced channels (50) formed on the shank extending from an end towards the head completely through the threading

Application/Control Number: 10/017,041

Art Unit: 3679

(see Fig. 3). The channels formed to have a depth shown to be at least 15% greater than the thread height.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hindle as applied to claims 1, 6 and 7 above, and further in view of Schiefer (US 4,730,966). Schiefer discloses channels (13') formed in a threaded portion of a bolt to have a V-shaped cross-section (see Fig. 3). At the time the invention was made, it would have been obvious for one of ordinary skill in the art to make the channel of Hindle in a V-shape as disclosed in Schiefer in order to save on material as discussed therein.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hindle as applied to claims 1 above, and further in view of Terrizzi (US 5,407,312). Terrizzi teaches the equivalence of spiral (Fig. 8) and longitudinal channels (Fig. 1). At the time the invention was made, it would have been obvious for one of ordinary skill in the art to make the longitudinal channel of Hindle in a spiral in view of the teaching of Terrizzi.

Application/Control Number: 10/017,041

Art Unit: 3679

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Flemming Saether whose telephone number is 703-

308-0182. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Lynne Browne can be reached on 703-308-1159. The fax phone numbers

for the organization where this application or proceeding is assigned are 703-872-9326

for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-308-

2168.

lemming s

Primary Examiner

Art Unit 3679

April 15, 2003

Page 4